

**UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF NEW JERSEY**

SUBRANNI ZAUBER LLC
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In Re: : IN BANKRUPTCY
: CHAPTER 13 PROCEEDING
MARIA M. SALVANI : Case No.: 19-29423 (JNP)
:
: HEARING DATE: April 14, 2020 at 10:00 am
Debtor(s) : ORAL ARGUMENT WAIVED

**OBJECTION TO MOTION BY THE ACTING UNITED STATES TRUSTEE FOR AN
ORDER DISMISSING CASE FOR ABUSE UNDER 11 U.S.C. §707(b)(1) BASED ON THE
TOTALITY OF THE CIRCUMSTANCES UNDER 11 U.S.C. §707(b)(3)(B)**

The Debtor, Maria M. Salvani, by and through counsel Jeanie D. Wiesner, Esq., of full age, hereby Objects to the Motion by the Acting United States Trustee for an Order Dismissing Case for Abuse under 11 U.S.C. §11 U.S.C. 707(b)(1) Based on the Totality of the Circumstances under 11 U.S.C. §707(b)(3)(B) on the following grounds:

1. Counsel for Debtor, Maria M. Salvani, prepared and filed a clear and transparent Bankruptcy Petition, including Schedules I and J. Calculations included the income and deductions as per the pay advices provided to counsel by the Debtor which she had received during the six (6) months immediately preceding the filing of the underlying Chapter 7 Petition.
2. All expenses listed on Schedule J are a true and accurate average of that which the Debtor provided verbal information and bank statements to her counsel for review prior to the preparation of her Petition.
3. Based on Debtor's income and expenses listed on Schedules I and J, she was unable to continue to make payments to her unsecured creditors and would not have the means to do so in the future. The Means test calculations based on the prior earnings determined that there was No Presumption of Abuse.
4. While Debtor disputes her ability to pay 100% to her unsecured creditors, she felt it appropriate to convert her case from a Chapter 7 to a Chapter 13. The Motion was filed April 3, 2020 and hearing on this matter is presently pending for May 5, 2020. Therefore, the Motion to Dismiss is Moot.

WHEREFORE, Debtor Maria M. Salvani respectfully requests that the Motion to Dismiss be denied.

/s/ Jeanie D. Wiesner

Jeanie D. Wiesner, Esq.
Subranni Zauber LLC